

DEVELOPMENT REVIEW COMMITTEE –April 2, 2019
CONDITIONS OF APPROVAL

27 E. Main Street

Conditional Use Permit U-19-002

Requesting approval of a modification to an existing Conditional Use Permit for beer and wine service in an existing restaurant (Southern Kitchen) on property zoned C-2. APN 529-28-036.

PROPERTY OWNER: P. Hoffmann Revocable Trust

APPLICANT: Michael Williams

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes. Any intensification beyond this authorized use requires a Conditional Use Permit amendment.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. LAPSE FOR DISCONTINUANCE: If the activity for which the Conditional Use Permit has been granted is discontinued for a period of one (1) year, the approval lapses pursuant to Section 29.20.340 of the Zoning Ordinance.
4. RESTAURANT USE: A restaurant with the service of beer and wine is permitted.
5. HOURS OF OPERATION: Maximum hours of operation are 6:30 a.m. to 10:00 p.m., seven days a week.
6. NOISE: The restaurant with beer and wine service shall be subject to the Town of Los Gatos Noise Ordinance.
7. RECYCLED CONTAINERS: Any take-out food shall be served in containers made of recycled materials.
8. REUSABLE UTENSILS: Pursuant to Town Code all on-site meals shall be served with re-usable dishware and utensils.
9. TRASH AND RECYCLING DISPOSAL HOURS: Trash and recycling from the business shall only be emptied between 9:00 a.m. and 9:00 p.m. to limit the noise impacts on the neighbors.
10. GENERAL: Uniformed privately provided security guards may be required in or around the premises by the Chief of Police if alcohol related problems recur that are not resolved by the licensed owner.
11. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a

condition of approval of all such permits and entitlements whether or not expressly set forth in the approval, and may be secured to the satisfaction of the Town Attorney.

TO THE SATISFACTION OF THE DIRECTOR OF PARKS AND PUBLIC WORKS:

Engineering Division

12. GENERAL: Any and all work shall conform to the applicable Town ordinances.
13. APPROVAL: This application shall be completed in accordance with all the conditions of approval listed below and in substantial compliance with the latest reviewed and approved development plans. Any changes or modifications to the approved plans or conditions of approvals shall be approved by the Town Engineer.
14. DESIGN CHANGES: Any proposed changes to the approved plans shall be subject to the approval of the Town prior to the commencement of any and all altered work. The Owner, Applicant and/or Developer's project engineer shall notify, in writing, the Town Engineer at least seventy-two (72) hours in advance of all the proposed changes. Any approved changes shall be incorporated into the final "as-built" plans.